

**UTILITY
PATENT APPLICATION**

Attorney Docket No:

W9305-06

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TRANSMITTAL

(Submit an original, and a duplicate for fee processing)
(Only for nonprovisional applications under 37 CFR 1.53(b))

First Named Inventor or Application Identifier

Pryor et al.

Express Mail Label No: EU756131669US

Date Mailed: 07/09/2003

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Commissioner for Patents
Mail Stop Patent Application
P.O. Box 1450, Alexandria, VA 22313-1450

1. ☒ Fee :
- a. ☐ Separate Fee Transmittal Form Submitted
- b. ☒ See boxes 30-32
2. ☒ Specification Total Pages
3. ☐ Drawing(s) (35 USC 113) Total Sheets
4. ☒ Oath or Declaration
- a. ☐ Newly executed:
- i. ☐ Original for first filing of nonprovisional application
- ii. ☐ Original for C-I-P application
- iii. ☐ Original for Continuation or Divisional application naming an inventor not named in prior application
(37 CFR 1.63(d)(5))
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 20 completed):
- i. ☒ With no change of inventive entity in prior application needed
- ii. ☐ With deletion of inventors requested at Box 29(a)
(37 CFR 1.48(b)) (see also 37 CFR 1.63(d)(2) and 1.33(b)).
5. ☒ Incorporation By Reference (*useable if Box 4b is checked*)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Microfiche Computer Program (Appendix)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all necessary*)
- a. ☐ Computer Readable Copy
- b. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statement verifying identity of above copies

21909 U.S. PTO
10/615998
07/09/03



ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (*cover sheet & document(s)*)
9. ☐ 37 CFR 3.73(b) Statement (*to establish right of assignee to take action*)
10. ☒ Power of Attorney
11. ☐ English Translation Document (*if applicable*)
- ☐ Information Disclosure Statement (*See 37 CFR 1.17(p) for fee*)
- a. ☐ Copies of IDS Citations
- b. ☐ (IDS) / PTO-144913

13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)(*Should be specifically itemized*)
15. ☐ Small Entity Statements:
- a. ☐ A small entity statement is enclosed claiming small entity status
- b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired
16. ☐ Priority of ☐ U.S. provisional application Serial No. _____, filed on _____ ☐ foreign application No. _____ filed on _____ in _____ (country), is claimed under 35 U.S.C. 119.
17. ☐ Certified Copy of Priority Document(s)(*if foreign priority is claimed*)
18. ☒ Other Documents Enclosed: Express Mail Certificate, Associate Power of Attorney

REQUEST THAT APPLICATION NOT BE PUBLISHED PURSUANT TO 35 U.S.C. 122(B)(2)

19. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

FOR A CONTINUING APPLICATION OR A 35 U.S.C. § 111(a) APPLICATION CLAIMING PRIORITY UNDER 111(b) PROVISIONAL APPLICATION

20. Check appropriate box and supply the requisite information:
☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)
21. ☒ Prior Application Information:
 US Serial No: 10/234,741, Filing Date: 09/04/2002
 Prior Application Examiner: LE Hoa T.
 Prior Application Art Unit: 1733
22. ☒ Cancel in this application original claims 1-5 of the prior application before calculating the filing fee.
 (At least one original independent claim must be retained for filing purposes).
23. ☒ Amend the specification by inserting before the first line the sentence:
 This is a ☐ continuation ☒ division of application Serial No. **10/234,741**, filed **09/04/2002**.
24. ☐ Amend the specification by inserting before the first line the sentence:
☐ This application claims priority under 35 U.S.C. § 119 of the following provisional application Serial No(s). _____ and filing date(s) _____
☐ The entire disclosure of application Serial No. _____, filed _____ is incorporated herein by reference.
25. ☐ New formal drawings are enclosed.
26. ☐ A certified copy of the priority application has been filed in prior application
 Serial No. _____, filed _____.
27. ☒ The prior application is assigned of record to: **W. R. Grace & Co.-Conn.**
28. ☒ The Power of Attorney in the prior application is to:
 a. ☒ The power appears in the original papers of the prior application.
 b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

Inventorship Modifications For Continuation or Divisional Application

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29. ☐ Change the inventorship of this application by:a. ☐ Deleting the following inventors named in the prior application (37 CFR 1.53(b)(1)):

_____, because claim changes resulted in fewer than all of the previously named inventors of the prior application being the actual inventors of the invention being currently claimed in this CPA application (This request constitutes a Petition in accordance with 37 CFR 1.48(b))(See Box 4(b)(ii) and 37 CFR 1.17(i) for fee);

FEES30. ☒ The filing fee is calculated below:**CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT BELOW**

For	Number Filed	Number Extra	Rate	TOTALS
Total Claims	20	0	\$18.00	\$0.00
Independent Claims	1	0	\$84.00	\$0.00
1st Time Multiple Dependent Claims (Yes=1 or No=0) =	0	0	\$280.00	\$0.00
BASIC FILING FEE			\$750.00	\$750.00
TOTAL FILING FEE DUE:				\$750.00
Other Fees				
Fee Type				Fee Amount
Total Fees				\$750.00

31. ☒ Please charge \$750.00 to Deposit Account No. 07-1770.
Two additional copies of this form are enclosed.

32. ☒ The Director is hereby authorized to charge any additional fees under 37 CFR 1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account No. 07-1770.
Two additional copies of this form are enclosed.

CORRESPONDENCE ADDRESS33. ☒ Address all future communications to:

William D. Bunch
W. R. Grace & Co.-Conn.
Patent Dept.
7500 Grace Drive
Columbia, MD 21044-4098

July 9, 2003
Date of Signature

William D. Bunch
Attorney or Agent

Address of Signator:

W. R. Grace & Co.-Conn.
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Columbia, MD 21044-4098

William D. Bunch-Reg. No. 35,027
Telephone: (410)-531-4333

☒ Attorney or agent of record
☐ Filed under 37 CFR 1.34(a)

cc: R. A. Maggio

Revised 4/1/02

☒ **"EXPRESS MAIL" - Mailing Label No. EU756131669US**

Date of Deposit: 07/09/2003

I hereby certify that the enclosed documents, Transmittal letter (in triplicate); Specification (21 pages); Associate Power of Attorney; Declaration and Power of Attorney; return receipt postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop Patent Application, P. O. Box 1450, Alexandria, VA 22313-1450.

Rachel H. Scriven

(Typed name of person mailing paper or fee)


(Signature of person mailing paper or fee)

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